

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 6TH AUGUST 2007 / 15TH SRAVANA 1929

WP(C).No. 8294 of 2007(K)

PETITIONER:

M.GEORGE KURIAN, MANNAN CHERIL HOUSE,
CHOTTANIKARA, ERNAKULAM.

BY ADV. SRI.T.RAJESH

RESPONDENTS:

1. SOUTHERN RAILWAY, CHENNAI REPRESENTED
BY WORKS CONSTRUCTION BRANCH, EGMORE,
CHENNAI.
2. F.A. & C.A.O.(CONSTRUCTION)
SOUTHERN RAILWAY, EGMORE,
CHENNAI.
3. AAO/BILLS/CN/MS, SOUTHERN RAILWAY,
EGMORE, CHENNAI.
4. CATHOLIC CYRIAN BANK LTD.,
KADAVANTHARA BRANCH, REPRESENTED BY
ITS BRANCH MANAGER.

BY ADV. SRI.ALEXANDER THOMAS, SC,RAILWAYS

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06/08/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.8294 OF 2007

DATED THIS THE 6th DAY OF AUGUST, 2007

JUDGMENT

The petitioner approached this Court seeking a direction to respondents 1 and 2 to disburse certain amounts due to his late father, who was a contractor, from respondents 1 and 2 .

2. The learned standing counsel for respondents 1 and 2 submits that the bank guarantee, which is the subject matter of the writ petition has been handed over to the petitioner on 25.4.07 duly discharged and therefore, it is for the petitioner to take up the matter with the 4th respondent.

3. The petitioner submits that the 4th respondent is not taking steps to release the amounts covered by the bank guarantee, which has been deposited for obtaining the bank guarantee in view of lack of intimation from the 3rd respondent. Now that respondents 1 and 2 have already discharged the bank guarantee, the 3rd respondent shall issue proper intimation to the 4th respondent stating that the bank guarantee has been discharged and they have no objection in disbursing the amount covered by bank guarantee to the petitioner if

such amounts are due. This shall be done within a period of two weeks from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

Acd